Mr. Joseph Pettah.—*This Council recommends to the Government that the whole quantity of arrack required for sale in the State be manufactured only from Cocoanut toddy.*

14. Sending Debtors to Jail.

Mr. A. Eachara Menon —"This Council recommends to the Government that the provision to send the debtors to jail be kept in suspense for the present".

I do not think this requires any explanation at my hands. The Government have come to the conclusion that the debtors should be assisted in a way and they have proposals before them which they are very earnestly considering. By sending the debtors to jail no one is benefitted and the creditor simply incurs further loss. If the debtor is in any way able to pay the debt he won't go to jail. With these few words, I commend this resolution to the acceptance of this House.

Mr. K. Mohamed Seethi.—I second the resolution.

Mr. Thomas Manjuran.—I am sorry the Government do not find their way to accept this resolution as it stands. Under the existing law, there are provisions contained in the Civil Procedure Code by which courts of law can in proper cases refuse to send arrested debtors to jail. Government contemplate, as has been repeatedly said in this Council, to ameliorate the condition of the indebted agriculturists in several ways, particularly with regard to debts charged upon immoveable property. If a total exemption is given from arrests, the lot of the creditor will become unbearably bad and sulking debtors who may have means to pay may get a clear advantage. I do not think there is any justification for the Government to go to such an extent. On the other hand, this condition of economic depression can certainly be taken cognisance of by courts in dealing with petitions under section 331, and I dare say courts of law are using that section for that purpose. Any extension of that privilege, I am afraid, is bound to react very badly on business in general. I am afraid, as it is, that there may be very loud complaints from the creditors against the measures now proposed by the Government further ameliorating debts. If this further restriction also is added, there will be great justification for the complaint that the creditors are completely bound hand and foot and that there will be no method left for recovering anything from the debtors. On these grounds the Government regret its inability to accept this resolution.

Dr. A. R. Menon.—You have spoken of the complaint from the creditors. There are many people who find it very convenient and enjoyable to live in jail. They are well fed, well looked after, and therefore it is a very convenient place for a few. That aspect also may be considered.

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Mr. K. Mohamed Seethi.—On a point of information: is the British Indian Government contemplating any change in the law with regard to this question? They called for the report of Provincial Governments. Is the Government aware of the stage in which the matter stands?

Mr. Thomas Manjuran.—There was a proposal, as the Hon'ble Member says. Opinions were called for in fact. Even in England there was a similar proposal and I do not think anything has come out of it. I do not think that anything likely to come out of it in India either.

Mr. K. Mohamed Seethi.—In some European countries it has been abolished altogether. Is the Government aware?

Mr. Thomas Manjuran.—I am not aware of it.

Mr. A. Eachara Menon.—I do not press.

The resolution was, with leave, withdrawn.

Adjournment of the Council.

Deputy President.—Hon'ble Members, I must congratulate the whole House for the speedy way in which we have finished our very long agenda. Of course, my request to the Members when I welcomed them to finish the whole agenda, I am glad, has come to pass. I think you will all come with renewed vigour and will co-operate with the Chair as you did in this meeting for the next meeting also which comes off on the 8th of Kumbham. Thanking you once more I adjourn the meeting to the 8th of Kumbham.

The House rose for the day at 4 p. m.

C. J. MATHEW,
Secretary to the Council.

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